



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 2, 2020

BY ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *United States v. Robert Berry, 20 Cr. 72 (JMF)*

Dear Judge Furman:

A change-of-plea conference in the above-captioned matter is scheduled for September 15, 2020. As previously indicated, the parties have reached an agreement in principle for pretrial disposition. However, the parties respectfully request that the Court adjourn the scheduled conference for at least approximately 30 days. The requested adjournment will, among other things, allow the parties to formalize their agreement and permit defense counsel additional opportunities to advise the defendant regarding the prospective plea, which opportunities have been hindered by the COVID-19 pandemic.

In the event that the Court grants the requested adjournment, the Government respectfully requests that the Court exclude time under the Speedy Trial Act, from September 15, 2020 to the date that the conference is rescheduled to permit the parties to complete an agreement regarding possible pretrial disposition and to facilitate the effectiveness of counsel. The Government submits that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. *See 18 U.S.C. § 3161(h)(7)(A).*

I have communicated with defense counsel, who has consented to the above requests.

Respectfully submitted,

AUDREY STRAUSS
Acting United States Attorney

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cc: Tamara Giwa, Esq. (via ECF)